IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

W.P(C).No. 36332 of 2007(A)

PETITIONER:

E.A. RAJAN,
ERALI HOUSE, P.O. EZHIKKARA, NORTH PARAVOOR.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:
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1. **THE REGIONAL TRANSPORT AUTHORITY,**
   ERNAKULAM, REPRESENTED BY ITS SECREARY.

2. **THE SECRETARY,**
   REGIONAL TRANSPORT AUTHORITY, ERNAKULAM.

3. **THE DISTRICT EXECUTIVE OFFICER,**
   KERALA MOTOR TRANSPORT WORKERS
   WELFARE FUND BOARD,
   PALARIVATTOM, ERNAKULAM.

4. **A.K. IBRAHIMKUTTY,**
   AZHIKKAL HOUSE, AZHEEKODE.

BY GOVT. PLEADER, SRI.I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 36332 OF 2007 - A

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Dated this the 10th day of December, 2007

J U D G M E N T

This writ petition is filed for a direction to respondents 1 and 2 not to transfer the permit to the 4th respondent on the allegation that he was a conductor in the bus and that the 4th respondent is attempting to transfer the vehicle without payment of contribution under the Kerala Motor Transport Workers Welfare Fund Act. On this basis, the petitioner submits that the objection should be considered at the time when the request for transfer is taken up for consideration by the respondents.

2. The petitioner is not in a position to point out any statutory provision recognising his right to object to the transfer. On the other hand, if welfare fund dues are in arrears and without payment the transfer cannot be effected. I see no reason to think that the statutory authorities including the 3rd respondent will not take protective action. I am not inclined to direct the authorities to take up for consideration his objection.

Writ petition fails and is dismissed.

ANTONY DOMINIC, JUDGE

jan/-